



Attorney Docket No. 109870-130088

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Application of:

Bosworth, et al.

Application No.: 09/741,219

Filed: December 19, 2000

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For: CELL BASED DATA  
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Examiner: Vu, Tuan A.

Group Art Unit: 2124

Customer No.: 25,943

CERTIFICATE OF TRANSMISSION/MAILING

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AMENDMENT AND RESPONSE TO OFFICE ACTION

To The Commissioner for Patents:

INTRODUCTORY COMMENTS

This paper is in response to the Office Action dated January 3, 2005. The shortened period for response extends to April 3, 2005. Claims 1-21 remain pending in the application. Claims 1-21 have been rejected by the Examiner. Consideration of the above-captioned application is respectfully requested in view of the amendments that follow.

**Amendments to the Specification** begin on page 2 of this paper.

**Amendments to the Claims** are reflected in the listing of claims that begin on page 3 of this paper.

**Amendments to the Drawings** begin on page 8 of this paper and include both an attached replacement sheet and an annotated sheet showing changes.

**Remarks/Arguments** begin on page 9 of this paper.

An **Appendix** including amended drawing figures is attached following page 16 of this paper.

IPG No. P004

SEA/109870/130088/KHF/333943.1

As the teachings and suggestions of **XSLT / XPATH** do not compensate for the previously described deficiencies of **BEX**, the proposed combination does not teach or suggest **ALL** of the claim limitations and can not establish a prima facie case of obviousness. This is particularly true since **BEX** is an introductory primer for the "Expressive power of **XSLT**" and **XSLT / XPATH** are specifications defining "the syntax and semantics of **XSLT**" and "common syntax and semantics for functionality shared between **XSL Transformations (XSLT)** and **Xpointer (XPointer)**" respectively. Thus, the very semantics that make **BEX** inapplicable also remove **XSLT / XPATH** as applicable references.

Moreover, assuming that **BEX** may not be available as a prior art reference against the instant application, the remaining combination of **XPATH** and **XSLT** would similarly fail to make up for the previously discussed deficiencies of **BEX** and the additional deficiencies created by the removal of **BEX**.

In view of the foregoing, the Examiner is requested to withdraw the rejections under 35 U.S.C. § 103 in items 6 on page 6 of the above-identified Office Action and where appropriate issue a Notice of Allowance.

#### **CONCLUSION**

Accordingly, it is believed to be clear that none of the references, whether taken alone or in any combination, either show or suggest the features of claims 1, 11, or 21. Claims 1, 11, and 21 are therefore believed to be patentable over the art. The dependent claims are believed to be patentable as well because they all are ultimately dependent on either claim 1 or claim 11.

In view of the foregoing, reconsideration and allowance of claims 1-21 are solicited. If the Examiner has any questions concerning the present paper, the Examiner is kindly requested to contact the undersigned at (206) 407-1509. If any fees are due in connection

with filing this paper, the Commissioner is authorized to charge the Deposit Account of Schwabe, Williamson and Wyatt, P.C., No. 50-0393.

Respectfully submitted,  
SCHWABE, WILLIAMSON & WYATT, P.C.

Date: April 4, 2005

by: Kyle H. Flindt  
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